

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-9 are pending in the present application, Claims 1 and 7-9 having been amended. Support for the amendments to Claims 1 and 7-9 is found, for example, in the Abstract. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-4 were rejected under 35 U.S.C. §102(b) as anticipated by Kunikane et al. (U.S. Patent No. 5,479,547, hereinafter Kunikane); Claim 5 was rejected under 35 U.S.C. §103(a) as unpatentable over Kunikane in view of Rivoallan (U.S. Patent No. 6,130,974); Claim 6 was rejected under 35 U.S.C. §103(a) as unpatentable over Kunikane in view of Ellison et al. (U.S. Patent No. 6,556,757, hereinafter Ellison); Claims 7 and 8 was rejected under 35 U.S.C. §103(a) as unpatentable over Kunikane in view of Feldman et al. (U.S. Patent No. 6,577,414, hereinafter Feldman); and Claim 9 was rejected under 35 U.S.C. §103(a) as unpatentable over Kunikane in view of Schmack et al. (U.S. Patent No. 4,481,621, hereinafter Schmack).

In a non-limiting embodiment of the claimed invention, a data transmission system includes subscriber units configured to interconnect with a central office unit via optical fibers. The central office unit is configured to multiplex a video signal with signals other than the video signal and to deliver them to the subscriber units. However, some subscribers will not want to receive a particular wavelength of the signal transmitted from the central office, i.e. the video signal. Thus, the subscriber unit includes a wavelength division multiplexer/demultiplexer configured to eliminate a particular wavelength signal from the subscriber unit.¹

¹ Specification, page 6, lines 10-19.

The non-limiting embodiment of the claimed invention has an advantage in that subscribers are provided with an inexpensive subscriber unit capable of eliminating the unwanted video signal from the subscriber unit.²

Turning now to the rejection of Claim 1 as anticipated by Kunikane, Applicants respectfully submit that the amendment to Claim 1 overcomes the rejection. Amended Claim 1 recites, *inter alia*, “a wavelength division multiplexer/demultiplexer configured to eliminate a particular wavelength signal from the subscriber unit.” Kunikane does not describe or suggest at least this element of Claim 1.

Fig. 15 of Kunikane shows an optical subscriber system. A multiplexed signal, consisting of λ_1 and λ_2 , is transmitted from a central office 1 to a subscriber unit 2. As shown in Fig. 15, subscriber unit 2 includes receiver unit 5, which receives the multiplexed signal and demultiplexes it. λ_1 is transmitted to a POTS and λ_2 is transmitted to a video device. Neither λ_1 nor λ_2 is eliminated from the subscriber unit.

Furthermore, even if the multiplexer/demultiplexer shown in Fig. 1 of Kunikane replaces the wavelength division multiplexer in receiver 5 as suggested in the Office Action,³ neither λ_1 nor λ_2 would be eliminated from the subscriber unit. Kunikane would still describe an optical distribution system where a receiver in the subscriber unit separates a multiplexed signal into two signals, where one signal is transmitted to a POTS and another signal is transmitted to a video device.

Contrary to what is stated in the Office Action, when the multiplexer/demultiplexer of Fig. 1 is inserted into the optical subscriber system in Fig. 15, λ_2 is not reflected into free space.⁴ Fig. 15 shows that λ_2 is transmitted to the video device.

² Specification, page 6, lines 20-26.

³ Office Action, page 3.

⁴ Office Action, page 3.

Thus, Kunikane does not describe or suggest "a wavelength division multiplexer/demultiplexer configured to eliminate a particular wavelength from the subscriber unit."

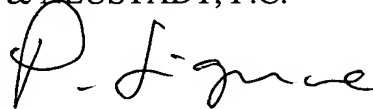
In addition, the other cited references do not cure the above-noted deficiencies in Kunikane. Rivoallan, Ellison, Feldman, and Schmack do not describe a data transmission system including the claimed "wavelength division multiplexer/demultiplexer configured to eliminate a particular wavelength signal from the subscriber unit."

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and Claims 2-6) patentably distinguish over Kunikane, Rivoallan, Ellison, Feldman, and Schmack, alone or in combination. Claims 7-9 recites elements similar to the elements of Claim 1. Thus, Applicants respectfully submit that Claims 7-9 patentably distinguish over Kunikane, Rivoallan, Ellison, Feldman, and Schmack, alone or in combination, for at least the reasons provided for Claim 1.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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